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RE: 16370

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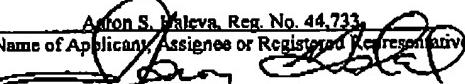
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OCT 24 2005

Docket No.: 100405/16370

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Massey et al.	Confirmation No. 3441
Serial No.:	10/007,526	
Filed:	December 5, 2001	
Examiner:	Shafiqul Haq	
Group Art Unit:	1641	
For:	GRAPHITIC NANOTUBES IN LUMINESCENCE ASSAYS	

CERTIFICATE OF TRANSMISSION under 37 CFR 1.8 I hereby certify that this correspondence is being filed via facsimile transmission to the United States Patent and Trademark Office at telephone number: (571) 273-8300.
on <u>October 24, 2005</u>
<u>Aaron S. Malcova, Reg. No. 44,733</u> Name of Applicant, Assignee or Registered Representative  Signature

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The owner, Meso Scale Technologies LLP., of entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,866,434. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

KLJ.2468973.1

Customer No. 35745**Docket No.: 100405/16370**

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that any of the said patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

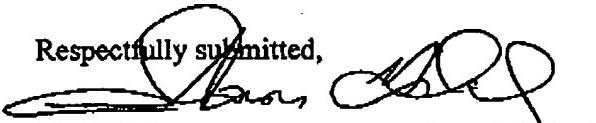
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record and authorized to execute terminal disclaimers on behalf of Meso Scale Technologies LLP.

The Director is hereby authorized to charge the required fee of \$130.00 under 37 CFR 1.20(d) as well as any other fee(s) deemed necessary with the filing of this terminal disclaimer to Deposit Account No. 50-0540.

Dated: October 24, 2005

Respectfully submitted,



Aaron S. Haleva, Reg. No. 44,733
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